

IN THE SUPREME COURT OF INDIA
APPELLATE JURISDICTION (CIVIL)
WRIT PETITION (CIVIL) NO.932 OF 2013

IN THE MATTER OF :

NAGRIK CHETNA MANCH. PETITIONER

Versus

UNION OF INDIA & ORS. .. RESPONDENTS

COUNTER AFFIDAVIT ON BEHALF OF RESPONDENT NO.4
RESERVE BANK OF INDIA

I, Rahul Sinha, son of Shri Bhola Nath Sinha, aged about 42 years, residing at M-5 RBI Officers Flats, Vasant Vihar, New Delhi-110057, do hereby solemnly affirm and say as follows:

I. That I am working as Deputy General Manager in the Reserve Bank of India, Department of Banking Supervision, Regional Office, New Delhi. I am competent and authorized to affirm this affidavit on behalf of the Reserve Bank of India (hereinafter referred to as "RBI"/Reserve Bank/this Respondent or answering Respondent). I have gone through the averments made in the said Writ Petition. I am well conversant with the facts of the case and issues in the captioned Writ Petition. I have access to all the records pertaining to the case kept with Respondent No.4 and after going through the same and having made myself fully acquainted with the facts of this case, I am filing this affidavit.

II. PRELIMINARY OBJECTIONS

(i) At the outset, it is submitted that there is no violation of any fundamental, statutory or legal right of the Petitioner by Respondent No.4 and as such the present Writ Petition, under Article 32 of the Constitution of India is wholly misconceived and not maintainable, either in law or on facts, against this Respondent, and the Writ Petition is liable to be dismissed with costs.

(ii) This affidavit is being filed by RBI for the limited purpose of apprising this Hon'ble Court of the position regarding the instructions issued by Reserve Bank, which are in some way related to the issues referred to in the writ petition. I reserve liberty to file a further Affidavit, if found necessary, at a later stage.

SUBMISSION ON THE POSITION OF RBI

(i) The Respondent No.4, Reserve Bank of India is a statutory Corporation constituted by the provisions of Section 3 of the Reserve Bank of India Act, 1934 for the purpose of regulating the issue of Bank Notes and keeping of reserves with a view to secure the monetary stability in India and generally to operate currency and credit system of the country. The Reserve Bank has been, *inter alia*, entrusted with the statutory obligation of administering the provisions of the Banking Regulation Act, 1949 (the "BR Act"). Under the BR Act, RBI has been vested with various powers with respect to banking companies, such as granting licenses, conducting inspections, giving directions, advices etc.

(ii) As the principal monetary authority in the country, RBI is responsible for laying down policies in the interest of the monetary

stability and sound economic growth, having due regard to the interests of the depositors, public interest and banking policy. In the discharge of its statutory duties, RBI issues various guidelines and directions to the banks. RBI has the power to issue directions under Section 35A of the BR Act to banks generally or any bank in particular in the public interest or in the interest of the banking policy or to prevent the affairs of the bank from being conducted in a manner detrimental to the interests of the depositors or in a manner prejudicial to the bank or to secure the proper management of any bank. RBI also has the power under Section 36(1) (a) of the BR Act, to caution or prohibit banks generally or any bank in particular against entering into any transaction or class of transactions and to generally give advice to any bank. RBI being an expert body, its decisions with regard to the regulation of banks, deserve to be given due weightage.

Background

1. It is submitted that Government of India (GoI) has launched the Direct Benefit Transfer (DBT) Scheme. Reserve Bank's instructions to banks relate to opening of accounts for facilitating the DBT and they have not instructed banks to launch or introduce DBT. In addition to the above, Reserve Bank of India has formulated the Know Your Customer (KYC) norms/Anti-Money Laundering (AML) standards/Combating of Financing of Terrorism (CFT) guidelines to be followed by banks, so as to prevent banks from being used, intentionally or unintentionally, by criminal elements for money laundering or terrorist financing activities. KYC procedures also enable banks to know/understand their customers and their financial dealings better, which in turn help them manage their risks

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banks under the relevant provisions of the Prevention of Money-Laundering (Maintenance of Records) Rules, 2005, to follow certain customer identification procedures for opening of accounts and monitoring transactions of a suspicious nature for the purpose of reporting it to appropriate authority, i.e. Financial Intelligence Unit-India. Banks have also been advised to ensure that a proper policy framework on KYC/AML/CFT is formulated with the approval of their Board and put in place.

2. It is submitted that in terms of the guidelines issued by Reserve Bank of India which are consolidated in the Master Circular dated July 1, 2014 on KYC norms/ AML standards/ CFT, banks while framing their KYC policies should incorporate the four key elements viz; Customer Acceptance Policy, Customer Identification Procedures, Monitoring of Transactions and Risk Management. The details of Customer Acceptance Policy and Identification Procedures are as follows:

a) Banks have been advised to have a Customer Acceptance Policy which ensures that no account is opened in anonymous or fictitious/benami name, clearly defines parameters of risk perception, documentation requirements and other information to be collected in respect of different categories of customers depending on perceived risk and keeping in mind the requirements of Prevention of Money Laundering Act, 2002 (hereinafter referred to as 'PMLA'), not to open an account where the bank is unable to apply appropriate customer due diligence measures and apply necessary checks before opening a new account so as to ensure that the identity of the customer does not match with any person with known criminal background or with banned entities such as individual

advised to consider closing an existing account under similar circumstances and to have suitable built-in safeguards to avoid harassment of a customer.

b) Banks have been advised to frame a policy approved by their Boards and they should clearly spell out the Customer Identification Procedure to be carried out at different stages, i.e., while establishing a banking relationship; carrying out a financial transaction or when the bank has a doubt about the authenticity/veracity or adequacy of the previously obtained customer identification data. Customer identification means identifying the customer and verifying his/her identity by using reliable, independent source documents, data or information. Banks need to obtain sufficient information necessary to establish, to their satisfaction, the identity of each new customer, whether regular or occasional, and the purpose of the intended nature of banking relationship.

3. It is submitted that an indicative list of documents required to open a bank account is given in Annex I of the RBI Master circular dated July 1, 2014 based on the PMLA and Rules framed thereunder. A copy of the Master circular is annexed hereto and marked as ANNEXURE R-IV/1. It is submitted that 'Aadhaar' (the letter issued by the Unique Identification Authority of India (UIDAI) containing details of name, address and Aadhaar number) is one of the documents included in this list.

4. It is submitted that for opening a bank account, Rule 9 of the Prevention of Money-Laundering (Maintenance of Records) Rules, 2005 (hereinafter referred to as 'PML Rules') requires a client who

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valid document" (OVD) containing details of his identity and address. The expression "officially valid document" as defined in Rule 2(d) of PML Rules means various documents like passport, driving licence etc. mentioned therein and it includes 'the letter issued by the Unique Identification Authority of India containing details of name, address and Aadhaar number'. It is therefore submitted that Aadhar is not the sole KYC document insisted upon for opening a bank account. It is only one of the documents that can be used by the customer as an officially valid document for the purpose of opening a bank account.

5. It is further submitted that as a part of risk monitoring, it has been advised in paragraph 2.13 of the Master Circular that ongoing monitoring is an essential element of effective KYC procedures. Banks can effectively control and reduce their risk only if they have an understanding of the normal and reasonable activity of the customer so that they have the means of identifying transactions that fall outside the regular pattern of activity. Banks have been advised to pay special attention to all complex, unusually large transactions and all unusual patterns which have no apparent economic or visible lawful purpose. Banks have been advised that transactions that involve large amounts of cash, inconsistent with the normal and expected activity of the customer should particularly attract the attention of banks and very high account turnover, inconsistent with the size of the balance maintained may indicate that funds are being 'washed' through the account. High-risk accounts have to be subjected to intensive monitoring. Banks have been advised to set key indicators for such accounts, taking note of the background of the customer, such as the country of origin, sources of funds, the type of transactions involved and other risk

periodical review of risk categorization of accounts and the need for applying enhanced due diligence measures. Such review of risk categorisation of customers should be carried out at a periodicity of **not less** than once in six months.

6. It is submitted that these instructions enable banks to identify their customers and monitor their transactions to identify and report any suspicious transactions which in turn help them manage their risks prudently. Further, paragraph 2.25 (b) of the Master Circular dated July 1, 2014, lays down the instructions for banks for determining and reporting of suspicious transaction reports. The details are as follows:

A. Suspicious Transaction Reports (STRs)

i) While determining suspicious transactions, banks should be guided by the definition of suspicious transaction contained in PMLA Rules, as amended from time to time.

ii) It is likely that in some cases transactions are abandoned /aborted by customers on being asked to give some details or to provide documents. The banks should report all such attempted transactions in STRs, even if not completed by customers, irrespective of the amount of the transaction.

iii) Banks should make STR if they have a reasonable ground to believe that the transaction involves proceeds of crime generally, irrespective of the amount of transaction and/or the threshold limit envisaged for predicate offences in part B of Schedule of PMLA, 2002.

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iv) The Suspicious Transaction Report (STR) should be furnished within 7 days of arriving at a conclusion that any transaction, whether cash or non-cash, or a series of transactions integrally connected are of a suspicious nature. The Principal Officer should record his reasons for treating any transaction or a series of transactions as suspicious. Banks should ensure that there is no undue delay in arriving at such a conclusion once a suspicious transaction report is received from a branch or any other office. Such report should be made available to the competent authorities on request.

v) In the context of creating KYC/AML awareness among the staff and for generating alerts for suspicious transactions, banks have been advised to consider the indicative list of suspicious activities contained in Annex-E of the 'IBA's Guidance Note for Banks, January 2012'.

vi) Banks should not put any restrictions on operations in the accounts where an STR has been made. Banks and their employees should keep the fact of furnishing of STR strictly confidential, as required under PML Rules. It should be ensured that there is no tipping off to the customer at any level.

B. Cash Transaction Reports (CTRs)

CTRs must be filed by the banks in respect of following transactions:

- * all cash transactions of value more than Rupees Ten Lakh or its equivalent in foreign currency;

- * all series of cash transactions integrally connected to each other which have been valued below Rupees Ten Lakh or its equivalent in foreign currency where such series of transactions have taken place within a month and the aggregate value of such transactions exceeds Rupees Ten Lakh;

1. It is submitted that banks are required to report information related to STRs/ CTRs to the Director, Financial Intelligence Unit-India (FIU-IND). These obligations are required to be complied with by the banks, irrespective of whether the account is opened with Aadhar as the officially valid document or not and this mechanism is intended to detect fraudulent transactions and enable banks to manage their risks prudently.

2. It is further submitted that RBI has issued a circular bearing DBOD.AML.BC. No.29 /14.01.001/2013-14 dated July 12, 2013 whereby banks were instructed to verify the PAN numbers given by the account based as well as walk-in customers

3. In addition to the above, it is submitted that RBI has issued circular bearing DBOD AML BC No.44/14.01.001/2013-14 dated September 2, 2013 advising banks that e-KYC service of the UIDAI would be accepted as an officially valid document'. It is mentioned in the circular that while using e-KYC service of UIDAI, the individual user has to authorize the UIDAI, by explicit consent, to release her or his identity/address through biometric authentication to the bank branches/business correspondents (BCs). A copy of the circular dated September 02, 2013 is annexed hereto and marked as ANNEXURE R-IV/2.

4. It is submitted that the UIDAI then transfers the data of the individual comprising name, age, gender, and photograph of the individual, electronically to the bank/BCs, which may be accepted as valid process for KYC verification. The broad operational instructions to banks on Aadhaar e-KYC service are enclosed in the Annex of the circular DBOD.AML.BC. No. 44 /14.01.001/2013-14 dated September 2, 2013 and the procedure makes it mandatory for the bank to enter into an agreement with the UIDAI. Banks are required to fulfill certain conditions such as defining a procedure for obtaining customer authorization to UIDAI for sharing e-KYC data with the bank. This authorization can be in **physical** (by way of a written explicit consent authorizing UIDAI to share his/her Aadhaar data with the bank/BC for the purpose of opening bank account) / **electronic** form as defined by UIDAI from time to time.

5. It is submitted that the sample process flow would be as follows:

- a. Customer walks into Customer Service point (CSP) of a bank with his/her 12 digit Aadhaar number and explicit consent and requests to open a bank account with Aadhaar based e-KYC.
- b. Bank representative manning the CSP enters the number into bank's e-KYC application software.
- c. The customer inputs his/her biometrics via a UIDAI compliant biometric reader (e.g. fingerprints on a biometric reader).
- d. The software application captures the Aadhaar number along with biometric data, encrypts this data and sends it to UIDAI's Central Identities Data Repository (CIDR).
- e. The Aadhaar KYC service authenticates customer data. If the Aadhaar number does not match with the biometrics, UIDAI

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server responds with an error with various reasons codes depending on type of error (as defined by UIDAI).

- f. If the Aadhaar number matches with the biometrics, UIDAI responds with digitally signed and encrypted demographic information [Name, year/date of birth, Gender, Address, Phone and email (if available)] and photograph. This information is captured by bank's e-KYC application and processed as needed.
- g. Bank's servers auto populate the demographic data and photograph in relevant fields. It also records the full audit trail of e-KYC viz. source of information, digital signatures, reference number, original request generation number, machine ID for device used to generate the request, date and time stamp with full trail of message routing, UIDAI encryption date and time stamp, bank's decryption date and time stamp, etc.
- h. The photograph and demographics of the customer can be seen on the screen of computer at bank branches or on a hand held device of BCs for reference.
- i. The customer can open bank account subject to satisfying other account opening requirements.

5. It is submitted that the apprehension of the petitioner that a bank account can be opened solely on the basis of Aadhar is wholly misconceived. It is submitted that Aadhar is only one of the documents required for opening a bank account and not the sole KYC document for the purpose.

6. It is submitted that the Reserve Bank has issued instructions, vide its circular DBOD.AML.BC.No.65/14.01.001/2012-13 dated

account holder in the account opening form is the same as that on Aadhaar letter, then it may be accepted as both proof of identity and address since as per the earlier instruction Aadhaar letter was accepted only as a proof of identity. These instructions are applicable to all other officially valid documents used as identity proof such as Passport, Drivers' License, Voter's Identity card etc., as mentioned in para 2.(i) of the above circular.

7. As regards the apprehension expressed by the petitioner whether it is possible to open an account in the bank without being physically present, it is submitted that when the accounts are opened with e-KYC process based on Aadhaar card, the prospective customer has to remain present for biometric authentication. In other cases, accounts can also be opened without the customer being physically present. Such type of customers are treated as non-face-to-face customers. Instructions in this regard have been issued by Reserve Bank and the same are contained in paragraph 2.5(g) of the Master Circular dated July 1, 2014, which is reproduced below:

"With the introduction of telephone and electronic banking, increasingly accounts are being opened by banks for customers without the need for the customer to visit the bank branch. In the case of non-face-to-face customers, apart from applying the usual customer identification procedures, there must be specific and adequate procedures to mitigate the higher risk involved. Certification of all the documents presented should be insisted upon and, if necessary, additional documents may be called for. In such cases, banks may also require the first payment to be effected through the customer's account with another bank which is a well-

to similar KYC standards. In the case of cross-border customers, there is the additional difficulty of matching the customer with the documentation and the bank may have to rely on third party certification/introduction. In such cases, it must be ensured that the third party is a regulated and supervised entity and has adequate KYC systems in place".

III. PARAWISE REPLY

Without prejudice to the aforesaid submissions made herein, but relying on the same, I crave leave of this Hon'ble Court to submit the parawise reply to the various averments made in the Writ Petition. All the averments made in the writ Petition, except those, which are specifically admitted, are denied. Parawise reply to the Writ Petition is submitted as under:

1. With respect to the statement of facts contained in Paragraph 1, it is submitted that the answering Respondent has no comments to offer.
2. With reference to paragraphs 1A and 2 of the Writ Petition, it is submitted that the petitioner is put to strict proof.
3. With respect to the statement of facts contained in Paragraph 3, the answering Respondent has no comments to offer.
4. With respect to the averments made in paragraph 4 and 5, the petitioner is put to strict proof.
5. With respect to the averments in paragraph 6 -11 of the Writ Petition, the answering Respondent has no comments to offer as

6. With reference to the averments made in paragraph 12 of the petition it is submitted that the exhibit at page 96 refers to branches of scheduled commercial banks and not rural banks. It is submitted that the concept of Business correspondents model and e-KYC process introduced by Reserve Bank eases the process of opening a bank account thus obviating the need for brick and mortar branches in every village.

7. With reference to the averments made in paragraph 13-14 of the Writ Petition, the answering Respondent has no comments to offer as it does not relate to this Respondent.

8. With reference to the averments made in paragraph 15 of the petition, the same are not fully correct. Reserve Bank has not issued any instruction stating that Aadhaar is the sole KYC document for opening "small accounts". It is submitted that Aadhaar is one of the 'Officially Valid Documents', which could be used as proof of identity and proof of address for opening a bank account. As regards opening of 'Small Accounts', it is submitted that the same is based on signature/thumb impression and photo which is certified by the designated officer that the person opening the account has affixed his signature/thumb impression in his presence, and opening of such account does not require submission of any officially valid document including aadhaar card or letter.

9. With reference to averments made in paragraphs 16 and 17 of the petition, the same are admitted to the extent revealed by records.

10. With reference to the averments made in paragraphs 18-21 of the Writ Petition, Respondent No. 4 has no comments to offer as they do not relate to this Respondent.

11. With reference to the averments made in paragraph 22 of the petition, the allegations made against this answering Respondent are denied. The Circular issued by this answering Respondent, referred to in paragraph 22, is issued to NBFCs with a view to intimate them about Govt. notification declaring Aadhaar letter as an 'officially valid document'. It is submitted that the responsibility of verifying KYC details always vests in the entity which opens accounts, and it is not correct to say that RBI has dramatically shedded its responsibility.

12. With reference to the averments made in paragraphs 23-25 of the Writ Petition, Respondent No. 4 has no comments to offer as they do not relate to this Respondent.

13. With reference to averments made in paragraph 26 of the petition, the same are admitted to the extent revealed by records. However, it is submitted that the Circular referred to in the said paragraph is regarding use of services of business correspondents.

14. With reference to averments made in paragraph 27 of the petition, the same are admitted to extent revealed by the records.

15. With reference to the averments made in paragraphs 28-31 of the Writ Petition, Respondent No. 4 has no comments to offer as they do not relate to this Respondent.

16. With reference to the averments made in paragraph 32 of the writ petition, the same are not correct. It is submitted that in terms of the extant instructions issued by the Reserve Bank, banks have to verify the identity and address of a customer when he/she approaches the bank for opening an account. It is further submitted that as per circular bearing DBOD.AML.BC. No. 44 /14.01.001/2013-14 dated September 2, 2013 issued by Reserve Bank, e-KYC service of UIDAI was accepted as a valid process for KYC verification under Prevention of Money Laundering (Maintenance of Records) Rules, 2005. It is specified in Para 2 of the circular that while using e-KYC service of UIDAI, the individual **user has to authorize the UIDAI, by explicit consent**, to release her or his identity/address **through biometric authentication** to the bank branches/business correspondents (BCs). As regards opening of 'Small Accounts', it is submitted that the same is based on signature/thumb impression and photo which is certified by the designated officer that the person opening the account has affixed his signature/thumb impression in his presence, and opening of such account does not require submission of any officially valid document including aadhaar card or letter.

17. With reference to the averments made in paragraph 33 & 34, the answering Respondent has no comments to offer as they do not relate to this Respondent.

18. With reference to the averments made in paragraph 35 of the petition, the allegations therein are not correct and hence denied. The answering Respondent reiterates the submission made herein above in preceding paragraph in response to para 32 of the counter affidavit.

19. With reference to the averments in paragraph 36 of the petition, the same are admitted to the extent revealed by the records.

20. With reference to the averments made in paragraph 37, the allegations against this Respondent are not correct and hence strongly denied., It is submitted that the petitioner has only made a vague allegation that frauds are suspected to take place in accounts opened with Aadhaar, but has not substantiated it. It is submitted that the KYC/AML/CFT guidelines are issued with the objective to prevent banks from being used, intentionally or unintentionally, by criminal elements for money laundering or terrorist financing activities. KYC procedures also enable banks to know / understand their customers and their financial dealings better which in turn help them manage their risks prudently.

21. With reference to the averments made in paragraphs 38-41 of the Writ Petition, the answering Respondent has no comments to offer as they do not relate to this Respondent.

22. With reference to the facts stated in paragraph 42 of the petition, the same are admitted to the extent revealed by the records.

23. With reference to the averments made in paragraph 43 to 44 of the petition, the answering Respondent has no comments to offer.

With reference to paragraph 45, it is submitted that the averments :
"it is thus evident that Aadhaar has unleashed a free-for-all irresponsible and highly dangerous set of procedures to open, maintain and operate bank accounts" and that it was *"obvious that*

that the Aadhaar data and the linked bank accounts are not either authentic or secure" are not correct. As submitted in the preceding paragraphs, RBI has issued detailed instructions to banks about the norms to be followed while opening bank accounts,

24. With reference to the averments made in paragraph 46 of the petition, the allegations against this Respondent are totally false, misleading and quoted out of context with an aim to present distorted facts before this Hon'ble Court. It is submitted that though RBI has no control over the process of Aadhaar enrollment, Master Circular issued by RBI in this regard makes it clear that no account should be opened by banks, without the proper KYC process.

25. With reference to the averments made in paragraphs 47-50 of the Writ Petition, Respondent No. 4 has no comments to offer.

REPLY TO GROUNDS

(i) With reference to the Ground (a) of the Writ Petition, it is submitted that Aadhaar is one of the officially valid documents accepted as proof of identity and address for opening a bank account. RBI has issued detailed instructions regarding operation of money mule accounts and has advised banks that such mule accounts can be minimised if banks follow the guidelines on opening of accounts and monitoring of transactions contained in the Master Circular dated July 1, 2014 issued by Reserve Bank. It is submitted that detailed instructions on monitoring of transactions have also been issued to the banks by Reserve Bank. It has been clarified by the answering Respondent in its circular DBOD.AML.BC. No. 44 /14.01.001/2013-14 dated September 2, 2013, that e-KYC service of UIDAI was accepted as a valid process for KYC verification under Prevention of Money Laundering

(Maintenance of Records) Rules, 2005. It is further specified in Para 2 of the circular that while using e-KYC service of UIDAI, the individual user has to authorize the UIDAI, by explicit consent, to release her or his identity/address through biometric authentication to the bank branches/business correspondents (BCs).

(ii) With reference to the averments made under Grounds (b), (c) (d), (e) and (f), of the Writ Petition, the answering Respondent has no comments to offer.

(iii) With reference to the averments made under Ground (g) it is submitted that the answering Respondent has not issued any instructions to either do away with identification and verification of account holders or declare Aadhaar as sole document for KYC.

(iv) With reference to the averments made under Grounds (h), (i), and (j) of the Writ Petition, the answering Respondent has no comments to offer.

(v) With reference to the averments made under Ground (k), the allegations made against this Respondent are denied. It is reiterated that the answering Respondent has not issued any instructions as such to either do away with identification and verification of account holders or declare Aadhaar as a sole document for KYC.

(vi) With reference to the averments made under Grounds (l), (m) and (n), the answering Respondent has no comments to offer.

(vii) The averments made under Ground (o) of the Writ Petition are wrong. The petitioner is put to strict proof of the same.

(viii) With reference to the averments made under Ground (p) of the Writ Petition, it is reiterated that the answering Respondent has advised banks that Aadhaar is one of the officially valid documents that can be accepted as a 'proof of identity'. Further, banks were also advised not to open an account where the bank is unable to apply appropriate customer due diligence measures, i.e., bank is unable to verify the identity and /or obtain documents required as per the risk categorisation due to non-cooperation of the customer or non-reliability of the data/information furnished to the bank. Bank may also consider closing an existing account under similar circumstances. Similarly, to monitor the operations in an account and mitigate the risks involved, the Master Circular contains instructions for risk management which states that "Ongoing monitoring is an essential element of effective KYC procedures. Banks can effectively control and reduce their risk only if they have an understanding of the normal and reasonable activity of the customer so that they have the means of identifying transactions that fall outside the regular pattern of activity. It is submitted that the banks have been advised to pay special attention to transactions that involve large amounts of cash, inconsistent with the normal and expected activity of the customer. It is further submitted that e-KYC service of UIDAI was accepted as a valid process for KYC verification under Prevention of Money Laundering (Maintenance of Records) Rules, 2005 and while using e-KYC service of UIDAI, the individual user has to authorize the UIDAI, by explicit consent, to release her or his identity/address through biometric authentication to the bank branches/business correspondents (BCs). It is submitted that the siphoning of funds could take place in any sort of accounts and it is not restricted to accounts opened on the basis of Aadhaar.

(ix) With reference to the averments made under Ground (q) of the Writ Petition, the answering Respondent has no comments to offer.

(x) With reference to the statements made under Ground (r) and (s) of the Writ Petition, the petitioner is put to strict proof.

In the premises, it is humbly prayed that the Petitioner is not entitled to any relief as prayed for or otherwise against the Respondent No.4 and the Writ Petition therefore deserves to be dismissed with costs.

SOLEMNLY AFFIRMED AT NEW DELHI
THIS THE 20th DAY OF JULY, 2015.

DEPONENT

VERIFICATION:

I, the deponent above named, do hereby verify that the statements of facts contained in this affidavit are true and correct to the best of my knowledge and nothing material has been concealed.

Verified at New Delhi, this the 20th day of July, 2015.

DEPONENT